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IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

KHALID GLADNEY,

Defendant.

CASE NO. 1:23-CR-00172-ADA-BAM

STIPULATION TO VACATE TRIAL AND SET
CASE FOR CHANGE OF PLEA AND ORDER
THEREON

Court: Hon. Ana de Alba

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for a trial confirmation hearing on November 27, 2023 and a jury trial on December 19, 2023.
2. By this stipulation, defendant now moves to vacate the trial confirmation hearing and the trial as to KHALID GLADNEY and to **set the case for a change of plea hearing on November 27, 2023 at 8:30 a.m.** before the Hon. Ana de Alba. The proposed change of plea date represents the earliest date that all counsel are available, taking into account counsels' schedules, defense counsels' commitments to other clients, and the court's available dates for a change of plea hearing.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) Discovery in this case has been provided, and consists of multiple reports, videos, and expert reports. All of this discovery has been either produced directly to counsel and/or made

1 available for inspection and copying.

2 b) Counsel for the defendants believes that failure to grant the above-requested
3 continuance would deny him/her the reasonable time necessary for effective preparation, taking
4 into account the exercise of due diligence.

5 c) The government does not object to the continuance.

6 d) Based on the above-stated findings, the ends of justice served by continuing the
7 case as requested outweigh the interest of the public and the defendant in a trial within the
8 original date prescribed by the Speedy Trial Act.

9 e) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
10 et seq., within which trial must commence, the time period of November 15, 2023 to November
11 27, 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) because it
12 results from a continuance granted by the Court at defendant's request on the basis of the Court's
13 finding that the ends of justice served by taking such action outweigh the best interest of the
14 public and the defendant in a speedy trial.

15 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
16 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
17 must commence.

18 IT IS SO STIPULATED.

19 Dated: November 15, 2023

PHILLIP A. TALBERT
United States Attorney

21 By: /s/ ROBERT L. VENEMAN-HUGHES
22 ROBERT L. VENEMAN-HUGHES
23 Assistant United States Attorney

24 Dated: November 15, 2023

/s/ Roberto Dulce
Attorney for Defendant Khalid Gladney

ORDER

IT IS SO ORDERED that the jury trial set for December 19, 2023 and trial confirmation set for November 27, 2023 are vacated. A change of plea hearing is set for **November 27, 2023, at 8:30 a.m. before the District Judge.** Time is excluded pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv).

IT IS SO ORDERED.

Dated: November 16, 2023

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE